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APR 21 2010

OFFICE OF PETITIONS

FOLEY & LARDNER LLP
150 EAST GILMAN STREET
P.O. BOX 1497
MADISON WI 53701-1497

In re Patent No. 7,545,799 : DECISION ON REQUEST FOR
Tang : RECONSIDERATION OF
Issue Date: June 9, 2009 : PATENT TERM ADJUSTMENT AND
Application No. 09/779,939 : NOTICE OF INTENT TO ISSUE
Filed: February 9, 2001 : CERTIFICATE OF CORRECTION
Atty Docket No. 088245-3380 :

This is a decision on the petition filed on July 22, 2009, which is being treated as a petition under 37 CFR 1.705(d) requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by eight hundred forty-four (844) days.

The petition to correct the patent term adjustment indicated on the above-identified patent is **GRANTED to the extent indicated herein**. The term of the above-identified patent is extended or adjusted by **eight hundred forty-three (843) days**.

As the period from the filing date of the request for continued examination (RCE) to the issue date of the patent is not included in the "B" delay period, the over three year period begins on February 10, 2004, and ends on July 25, 2006, the day before the RCE was filed, and is 897 (not 898) days. See 35 U.S.C. 154(b)(1)(B)(i). As such, the patent term adjustment is 843, not 844 days.

The Office will *sua sponte* issue a certificate of correction. Pursuant to 37 CFR 1.322, the Office will not issue a

certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentee is given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The Office acknowledges the previous submission of the \$200.00 fee set forth in 37 CFR 1.18(e). No additional fees are required.

This matter is being referred to the Certificates of Correction Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **eight hundred forty-three (843) days**.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT: 7,545,799 B2

DATED: Jun. 9, 2009

DRAFT

INVENTOR(S): Tang

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 173 days

Delete the phrase "by 173 days" and insert – by 843 days--

Day : Tuesday
Date: 4/20/2010

PALM INTRANET

Time: 15:12:00

PTA Calculations for Application: 09/779939

| | | | |
|--------------------------|------------|-------------------------|-----|
| Application Filing Date: | 02/09/2001 | PTO Delay (PTO): | 908 |
| Issue Date of Patent: | 06/09/2009 | Three Years: | 0 |
| Pre-Issue Petitions: | 0 | Applicant Delay (APPL): | 735 |
| Post-Issue Petitions: | 0 | Total PTA (days): | 843 |
| PTO Delay Adjustment: | 670 | | |

File Contents History

| Number | Date | Contents Description | PTO | APPL | START |
|--------|------------|---|-----|------|-------|
| 105 | 04/20/2010 | ADJUSTMENT OF PTA CALCULATION BY PTO | 670 | | |
| 100.5 | 05/20/2009 | PTA 36 MONTHS | 99 | | |
| 100 | 06/09/2009 | PATENT ISSUE DATE USED IN PTA CALCULATION | 10 | | 92 |
| 99 | 04/23/2009 | EXPORT TO FINAL DATA CAPTURE | | | |
| 98 | 04/22/2009 | DISPATCH TO FDC | | | |
| 97 | 04/16/2009 | MAIL-PETITION DECISION - DISMISSED | | | |
| 96 | 04/16/2009 | PETITION DECISION - DISMISSED | | | |
| 95 | 01/30/2009 | PETITION ENTERED | | | |
| 94 | 02/03/2009 | APPLICATION IS CONSIDERED READY FOR ISSUE | | | |
| 92 | 01/30/2009 | ISSUE FEE PAYMENT VERIFIED | | | |
| 91 | 01/30/2009 | ISSUE FEE PAYMENT RECEIVED | | | |
| 90 | 11/07/2008 | EXPORT TO INITIAL DATA CAPTURE | | | |
| 89 | 11/04/2008 | MAIL NOTICE OF ALLOWANCE | | | |
| 88 | 11/02/2008 | ISSUE REVISION COMPLETED | | | |
| 87 | 11/02/2008 | DOCUMENT VERIFICATION | | | |
| 84 | 11/02/2008 | NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED | | | |
| 83 | 10/27/2008 | NOTICE OF ALLOWABILITY | | | |
| 82 | 10/08/2008 | INFORMATION DISCLOSURE STATEMENT CONSIDERED | | | |
| 81 | 10/08/2008 | INFORMATION DISCLOSURE STATEMENT (IDS) FILED | | | |
| 80 | 10/16/2008 | DATE FORWARDED TO EXAMINER | | | |
| 79 | 10/08/2008 | REQUEST FOR CONTINUED EXAMINATION (RCE) | | | |
| 78 | 10/16/2008 | DISPOSAL FOR A RCE / CPA / R129 | | | |

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|----|------------|---|--|-----|----|
| 77 | 10/16/2008 | CASE DOCKETED TO EXAMINER IN GAU | | | |
| 76 | 10/08/2008 | INFORMATION DISCLOSURE STATEMENT (IDS) FILED | | | |
| 75 | 10/08/2008 | WORKFLOW - REQUEST FOR RCE - BEGIN | | | |
| 74 | 09/09/2008 | FINISHED INITIAL DATA CAPTURE | | | |
| 73 | 07/18/2008 | EXPORT TO INITIAL DATA CAPTURE | | | |
| 72 | 07/14/2008 | MAIL EXAMINER'S AMENDMENT | | | |
| 71 | 07/14/2008 | MAIL NOTICE OF ALLOWANCE | | | |
| 70 | 07/10/2008 | ISSUE REVISION COMPLETED | | | |
| 69 | 07/10/2008 | DOCUMENT VERIFICATION | | | |
| 68 | 07/10/2008 | NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED | | | |
| 67 | 07/10/2008 | CASE DOCKETED TO EXAMINER IN GAU | | | |
| 66 | 07/03/2008 | EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413) | | | |
| 65 | 07/10/2008 | EXAMINER'S AMENDMENT COMMUNICATION | | | |
| 64 | 07/10/2008 | NOTICE OF ALLOWABILITY | | | |
| 63 | 06/13/2008 | DATE FORWARDED TO EXAMINER | | | |
| 62 | 06/11/2008 | AMENDMENT AFTER FINAL REJECTION | | | |
| 61 | 04/17/2008 | MAIL FINAL REJECTION (PTOL - 326) | | | |
| 60 | 04/14/2008 | FINAL REJECTION | | | |
| 59 | 03/04/2008 | CASE DOCKETED TO EXAMINER IN GAU | | | |
| 58 | 02/19/2008 | CASE DOCKETED TO EXAMINER IN GAU | | | |
| 57 | 02/12/2008 | DATE FORWARDED TO EXAMINER | | | |
| 56 | 01/16/2008 | RESPONSE AFTER NON-FINAL ACTION | | | |
| 55 | 01/11/2008 | CHANGE IN POWER OF ATTORNEY (MAY INCLUDE ASSOCIATE POA) | | | |
| 54 | 01/09/2008 | CORRESPONDENCE ADDRESS CHANGE | | | |
| 53 | 11/05/2007 | MAIL NON-FINAL REJECTION | | | |
| 52 | 11/02/2007 | NON-FINAL REJECTION | | | |
| 51 | 08/22/2007 | DATE FORWARDED TO EXAMINER | | | |
| 50 | 08/21/2007 | RESPONSE AFTER NON-FINAL ACTION | | 229 | 43 |
| 49 | 08/21/2007 | REQUEST FOR EXTENSION OF TIME - GRANTED | | | |
| 48 | 02/21/2007 | MAIL NOTICE OF RESTARTED RESPONSE PERIOD | | | |
| 47 | 02/21/2007 | MAIL EXAMINER INTERVIEW SUMMARY (PTOL - 413) | | | |
| 46 | 02/06/2007 | EXAMINER INTERVIEW SUMMARY RECORD | | | |

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|----|------------|---|--|-----|----|
| | | (PTOL - 413) | | | |
| 45 | 02/16/2007 | LETTER RESTARTING PERIOD FOR RESPONSE (I.E. LETTER RE: REFERENCES) | | | |
| 44 | 02/07/2007 | CORRESPONDENCE ADDRESS CHANGE | | | |
| 43 | 10/04/2006 | MAIL NON-FINAL REJECTION | | | |
| 42 | 09/28/2006 | NON-FINAL REJECTION | | | |
| 41 | 08/04/2006 | IFW TSS PROCESSING BY TECH CENTER COMPLETE | | | |
| 40 | 07/31/2006 | DATE FORWARDED TO EXAMINER | | | |
| 39 | 07/26/2006 | AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE | | | |
| 38 | 07/31/2006 | DATE FORWARDED TO EXAMINER | | | |
| 37 | 07/26/2006 | REQUEST FOR CONTINUED EXAMINATION (RCE) | | 91 | 27 |
| 36 | 07/31/2006 | DISPOSAL FOR A RCE / CPA / R129 | | | |
| 35 | 07/26/2006 | REQUEST FOR EXTENSION OF TIME - GRANTED | | | |
| 34 | 07/26/2006 | WORKFLOW - REQUEST FOR RCE - BEGIN | | | |
| 33 | 06/20/2006 | MAIL ADVISORY ACTION (PTOL - 303) | | | |
| 32 | 06/12/2006 | ADVISORY ACTION (PTOL-303) | | | |
| 31 | 06/02/2006 | DATE FORWARDED TO EXAMINER | | | |
| 30 | 05/26/2006 | AMENDMENT AFTER FINAL REJECTION | | | |
| 29 | 05/26/2006 | REQUEST FOR EXTENSION OF TIME - GRANTED | | | |
| 28 | 03/21/2006 | CASE DOCKETED TO EXAMINER IN GAU | | | |
| 27 | 01/26/2006 | MAIL FINAL REJECTION (PTOL - 326) | | | |
| 26 | 01/23/2006 | FINAL REJECTION | | | |
| 25 | 12/14/2005 | FILE MARKED FOUND | | | |
| 24 | 11/10/2005 | DATE FORWARDED TO EXAMINER | | | |
| 23 | 11/04/2005 | RESPONSE AFTER NON-FINAL ACTION | | 415 | 16 |
| 22 | 11/04/2005 | REQUEST FOR EXTENSION OF TIME - GRANTED | | | |
| 21 | 06/04/2005 | REQUEST FOR EXTENSION OF TIME - GRANTED | | | |
| 20 | 06/09/2005 | FILE MARKED LOST | | | |
| 19 | 05/05/2005 | MAIL NOTICE OF INFORMAL OR NON- RESPONSIVE AMENDMENT | | | |
| 18 | 02/18/2005 | CORRESPONDENCE ADDRESS CHANGE | | | |
| 17 | 02/18/2005 | DATE FORWARDED TO EXAMINER | | | |
| | | INFORMAL OR NON-RESPONSIVE AMENDMENT | | | |

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| 16.1 | 09/15/2004 | AFTER EXAMINER ACTION | | | |
| 16 | 09/15/2004 | RESPONSE AFTER NON-FINAL ACTION | | | |
| 15 | 01/04/2005 | FILE MARKED FOUND | | | |
| 14 | 12/20/2004 | FILE MARKED LOST | | | |
| 13 | 09/08/2004 | WORKFLOW INCOMING AMENDMENT IFW | | | |
| 12 | 06/16/2004 | MAIL NON-FINAL REJECTION | 799 | | -1 |
| 11 | 06/14/2004 | NON-FINAL REJECTION | | | |
| 10 | 05/24/2004 | CASE DOCKETED TO EXAMINER IN GAU | | | |
| 9 | 08/15/2002 | CORRESPONDENCE ADDRESS CHANGE | | | |
| 8 | 08/15/2002 | CHANGE IN POWER OF ATTORNEY (MAY INCLUDE ASSOCIATE POA) | | | |
| 7 | 03/11/2002 | CASE DOCKETED TO EXAMINER IN GAU | | | |
| 6 | 11/28/2001 | CORRESPONDENCE ADDRESS CHANGE | | | |
| 5 | 03/29/2001 | CASE DOCKETED TO EXAMINER IN GAU | | | |
| 4 | 03/14/2001 | APPLICATION DISPATCHED FROM OIPE | | | |
| 3 | 03/10/2001 | CORRESPONDENCE ADDRESS CHANGE | | | |
| 2 | 02/28/2001 | IFW SCAN & PACR AUTO SECURITY REVIEW | | | |
| 1 | 02/09/2001 | INITIAL EXAM TEAM NN | | | |

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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